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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 VESTA STRATEGIES, LLC,
16
17 Plaintiff,

18 v.

19 ROBERT E. ESTUPINIAN, GINNEY
20 ESTUPINIAN, MUTUAL VISION, LLC,
21 MILLENNIUM REALTY GROUP,
22 VESTA REVERSE 100, LLC, VESTA
23 CAPITAL ADVISORS, LLC, CAROL-
24 ANN TOGNAZZINI, EDMUNDO
25 ESTUPINIAN, and HAYDEE
26 ESTUPINIAN;

Defendants.

Case No. 07-06216 JW RS

CERTIFICATE OF SERVICE

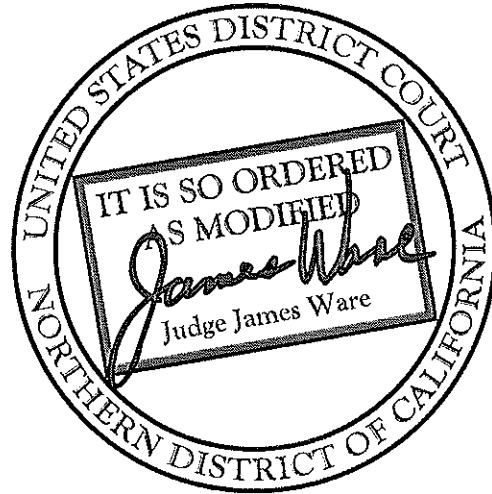
22 I, David L. Olson, an attorney, certify that I caused a copy of the attached ORDER
23 AUTHORIZING WITHDRAWAL OF COUNSEL entered by the Honorable James Ware, Judge,
24 to be served upon CAROL-ANN TOGNAZZINI, at 7425 26th Street Rio Linda, California 95673,
25 via first-class U.S. mail, proper postage prepaid, on June 20, 2008.

26 Dated: June 20, 2008

By

David L. Olson, Esq.

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 5 Attorney for Defendant Carol-Ann Tognazzini



10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 VESTA STRATEGIES, LLC,

14 Plaintiff,

15 v.

16 ROBERT E. ESTUPINIAN, GINNEY
 17 ESTUPINIAN, MUTUAL VISION, LLC,
 18 MILLENNIUM REALTY GROUP,
 VESTA REVERSE 100, LLC, VESTA
 19 CAPITAL ADVISORS, LLC, CAROL-
 ANN TOGNAZZINI, EDMUNDO
 20 ESTUPINIAN, and HAYDEE
 ESTUPINIAN;

21 Defendants.

Case No. C 07-06216 JW RS

(PROPOSED)

ORDER AUTHORIZING WITHDRAWAL OF
 COUNSEL

Date: June 23, 2008
 Time: 9:00 a.m.
 Dept: Room 8, 4th Floor, SJ
 Judge: James Ware

24 Presently before the Court is David L. Olson's Motion to Withdraw as Counsel of Record
 25 for Defendant Carol-Ann Tognazzini. (hereafter, "Motion," Docket Item No. 64.) The Court finds
 26 the motion appropriate for submission without oral argument. See Civ. L.R. 7-1(b). Based on the
 27 papers submitted to date, the Court GRANTS David L. Olson's Motion to Withdraw as Counsel.
 28

1 In a civil case, counsel may not withdraw from an action until relieved by order of the Court.
 2 See Civ. L.R. 11-5. Rule 3-700(C) of the California Rules of Professional Conduct provides that a
 3 lawyer may withdraw from representing a client where, among other things, (1) the client breaches
 4 an agreement with or obligation to the lawyer as to expenses or fees, or (2) other conduct renders it
 5 unreasonably difficult for the lawyer to carry out the employment effectively. Rule 3-700(C)(1)(d),
 6 (f).

7 In this case, counsel contends, *inter alia*, as follows:

8 (1) Defendant Tognazzini's failure and/or reluctance to authorize necessary and ordinary
 9 activities on her behalf has rendered it unreasonably difficult for [him] to carry out his
 10 employment and the prosecution of this matter on her behalf effectively;

11 (2) Defendant Tognazzini . . . [has] failed and refused and continue to fail and refuse to pay
 12 the attorney[] fees and costs due to [counsel].


13 (Motion¶¶1, 2.) In addition, Defendant Tognazzini has filed a declaration consenting to the
 14 substitution and withdrawal of counsel. (See Docket Item No. 66.)

15 The attorney-client relationship is usually an economic relationship. Based on Mr. Olson's
 16 representation and supporting declarations, the Court finds good cause to relieve Mr. Olson as
 17 counsel of record for Defendant Tognazzini.
 18

19 The Court stays all currently scheduled filing deadlines in the case for thirty (30) days to
 20 give Defendant sufficient time to find substitute counsel. Mr. Olson shall remain as counsel of
 21 record for thirty (30) days for the purposes of receiving and providing legal documents until there is
 22 identification of substitute counsel. On or before **July 18, 2008**, Defendant shall file a Notice of
 23 Identification of Substitute Counsel or Notice of Self-Representation.
 24

25 Mr. Olson shall send a copy of this Order to Defendant and file the necessary certificate of
 26 service. In light of this Order, the Court VACATES the hearing currently set for June 23, 2008.
 27

28 Dated: June 18, 2008


 JAMES WARE
 United States District Judge